

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH DAKOTA
WESTERN DIVISION

RICKY DEAN LOOKINGBACK, as
named plaintiff on behalf of a class,

Plaintiff,

v.

PENNINGTON COUNTY SHERIFF
BRIAN MUELLER, PENNINGTON
COUNTY 24-7 PROGRAM
ADMINISTRATOR LUCAS OYLER, both
sued in their official and individual
capacities, PENNINGTON COUNTY,
SOUTH DAKOTA and JOHN DOES 1 to
10,

Defendants.

Case No. 5:23-cv-5065-CCT

STIPULATED PROTECTIVE ORDER

Discovery in this matter is likely to produce confidential information, including but not limited to, Personally Identifiable Information, information covered by the Health Insurance Portability and Accountability Act (HIPPA), or information which is otherwise treated as confidential under state and/or federal law. Accordingly, the parties hereby stipulate to and respectfully request this Court enter the following Stipulated Protective Order. This request is made pursuant to the Federal Rule of Civil Procedure 26(c).

The parties stipulate to the entry of an Order as stated as follows:

1. Definitions. As used in this protective order:

- (a) "attorney" means an attorney who has appeared in this action;
- (b) "confidential document" means a document designated as confidential under this protective order and all information contained within that document;
- (c) to "destroy" electronically stored information means to delete from all databases, applications, and file systems so that the information is not accessible

without the use of specialized tools or techniques typically used by a forensic expert;

(d) "document" means information disclosed or produced in discovery, including at a deposition;

(e) "party" means a party to this action; and

2. Designating a Document or Deposition as Confidential.

(a) A party or their attorneys may designate a document or deposition, in whole or in part, as a confidential document.

(b) If a document or deposition, or a portion thereof, is designated as a confidential document, the opposing party or their counsel may not further disclose that confidential document unless consent is given by the party designating the document as confidential or the Court authorizes disclosure.

(c) At the end of this case, the party receiving the confidential document(s) agrees to destroy all such materials, and to provide the party disclosing the confidential document(s) with a sworn declaration of such destruction, unless parties agree otherwise or the Court orders otherwise.

3. Distribution of Confidential Documents.


(a) Confidential documents may not be given, shown, made available, or communicated in any way to anyone other than (i) the parties to this civil action; (ii) attorneys for the parties to this civil action, including all attorneys, secretaries, paralegals, and staff of the attorneys' offices; (iii) experts or consultants retained by a party to this civil action, or the attorneys representing a party to this civil action; (iv) authors and original recipients of the document; and (v) insurers, reinsurers, auditors, accountants, etc. to whom the parties or their attorneys have a statutory or contractual

obligation to transmit information or reports concerning this civil action.

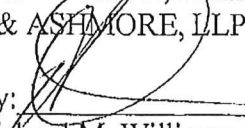
It is so stipulated, through counsel of record.

Dated this 28th day of January, 2025.

JAMES D. LEACH

By: 
James D. Leach
1617 Sheridan Lake Rd.
Rapid City, SD 57702
Tel: (605) 341-4400
jim@southdakotajustice.com
Attorney for Plaintiff

GUNDERSON, PALMER, NELSON
& ASHMORE, LLP

By: 
Richard M. Williams
506 Sixth Street
P.O. Box 8045
Rapid City, SD 57709
Tel: (605) 342-1078
rwilliams@gpna.com
Attorney for Defendants

ORDER

ACCORDINGLY, IT IS HEREBY ORDERED:

1. The above-stated Stipulated Protective Order is **GRANTED** and hereby entered by this Court.

Dated: 1-29-25

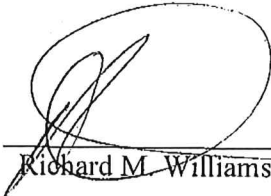
BY THE COURT:


Honorable ~~Camela C. Theeler~~ Daneta Wollmann
United States District Judge
Magistrate

CERTIFICATE OF SERVICE

I hereby certify on January 28, 2025, a true and correct copy of **STIPULATED PROTECTIVE ORDER** was served electronically through the CM/ECF system on the following individuals:

James D. Leach
1617 Sheridan Lake Rd.
Rapid City, SD 57702
E-mail: jim@southdakotajustice.com
Attorney for Plaintiff

By: 
Richard M. Williams